

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JOHN STEPHEN BERRY,)
)
 PLAINTIFF)
)
 v.)
)
 MICHAEL J. ASTRUE,)
 COMMISSIONER OF SOCIAL SECURITY,)
)
 DEFENDANT)

CIVIL No. 10-108-P-H

**ORDER AFFIRMING RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

On March 31, 2011, the United States Magistrate Judge filed with the court, with copies to counsel, his Report and Recommended Decision. The time within which to file objections expired on April 18, 2011, and no objections have been filed. The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The decision of the Commissioner is **AFFIRMED**.

So ORDERED.

DATED THIS 22ND DAY OF APRIL, 2011

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE